# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 10/082,418 | 02/26/2002 | Michael Wayne Brown | AUS920010849US1 | 4667 |

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| EXAMINER |
|---|
| KNOWLIN, THJUAN P |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2642 | 6 |

DATE MAILED: 08/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 10/082,418 | BROWN ET AL. |
| | Examiner | Art Unit |
| | Thjuan P Knowlin | 2642 |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)☒ Responsive to communication(s) filed on <u>26 February 2002</u>.

2a)☐ This action is **FINAL**.          2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)☒ Claim(s) <u>1-26</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-26</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

## Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>01 December 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All  b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>3</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

## DETAILED ACTION

### *Claim Rejections – 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1.      Claims 1, 8, 15, 22, 24, and 26, are rejected under 35 U.S.C. 102(b) as being

anticipated by Novak (US 4,266,098).

2.      In regards to claims 1, 8, and 15, Novak discloses a method, system, and

program for regulating use of a telephone line, comprising: detecting an identity (three-

digit/code number) of a caller requesting use of a telephone line (col. 1-2 lines 65-14);

and only allowing use of said telephone line by said caller if a schedule for said

telephone line indicates that said caller identity is currently allowed (col. 2 lines 53-68).

3.      In regards to claims 22, 24, and 26, Novak discloses a method, system, and

computer program product for regulating use of a telephone line requested by a plurality

of parties, comprising: detecting an identity of a first caller requesting use of a telephone

line; and comparing said identity of said first caller with a schedule for at least one other

caller requesting use of at telephone line; and only allowing said first caller use of said

telephone line if a schedule for said telephone line indicates that said first caller

currently has priority for use of said telephone line (col. 3 lines 1-24).

## Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.       Claims 2-7, 9-14, 16-21, 23, and 25 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Novak (US 4,266,098), in view of King et al (US 5,872,841).

5.       Novak discloses all of claims 2, 9, and 16 limitations, except the method, system,

and program, wherein detecting an identity further comprises: detecting said identity of

said caller from a voice authentication. King, however, discloses the method, wherein

detecting an identity further comprises: detecting said identity of said caller (telephone

12) from a voice authentication (speech recognition technology 56) (col. 2 lines 43-47).

Therefore, it would have been obvious for one of ordinary skill in the art at the time of

the invention to employ voice authentication within the system, as way of allowing for a

caller to be able to access a system through voice or speech recognition, instead of

having to key in or manually enter his or her identification information, thus, making the

system more user friendly.

6.       Novak discloses all of claims 3, 10, and 17 limitations, except the method,

system, and program, further comprising: detecting an estimated time for a call

requested by said caller; and filtering said schedule according to said estimated time for

said call. King, however, discloses the method, further comprising: detecting an

estimated time for a call requested by said caller; and filtering said schedule according to said estimated time for said call (col. 2-3 lines 57-6).

7.    Novak discloses all of claims 4, 11, and 18 limitations, except the method, system, and program, further comprising: detecting a subject for a call requested by said caller; and filtering said schedule according to said subject for said call. King, however, discloses the method, system, and program, further comprising: detecting a subject for a call requested by said caller; and filtering said schedule according to said subject for said call (for example, the subject of the call could be a meeting, see Table 1 and col. 5 lines 20-36).

8.    Novak discloses all of claims 5, 12, and 19 limitations, except the method, system, and program, further comprising: detecting an amount of points (importance or priority of caller) available to said caller for placing a call; and filtering said schedule according to said amount of points available for said call and an amount of points required for at least one portion of said schedule. King, however, discloses the method, system, and program, further comprising: detecting an amount of points (importance or priority of caller) available to said caller for placing a call; and filtering said schedule according to said amount of points available for said call and an amount of points required for at least one portion of said schedule (col. 10 lines 1-60 and col. 11 lines 4-18).

9.    Novak discloses all of claims 6, 13, and 20 limitations, except the method, system, and program, further comprising: controlling output of a message to said caller indicating at least one from among a reason for a blocking said telephone line, a next

available time for use of said telephone line, and an amount of time available for use of

said telephone line. King, however, discloses the method, system, and program, further

comprising: controlling output of a message to said caller indicating at least one from

among a reason for a blocking said telephone line, a next available time for use of said

telephone line, and an amount of time available for use of said telephone line (col. 6

lines 6-36 and col. 10 lines 11-19).

10.     Novak discloses all of claims 7, 14, and 21 limitations, except the method,

system, and program, further comprising: providing said caller with an option for

reserving a call appointment in said schedule. King, however, discloses the method,

system, and program, further comprising: providing said caller with an option for

reserving a call appointment in said schedule (col. 2 lines 27-38).

11.     Novak discloses all of claims 23 and 25 limitations, except the method and

system, further comprising: controlling said telephone line from a private switching

network. King, however, discloses the method and system, further comprising:

controlling said telephone line from a private switching network (telephone exchange

system 10) (Fig. 1 and col. 3 lines 21-26).

### Conclusion

12.     The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Joyce et al (US 6,381,316) teach an enhanced communication

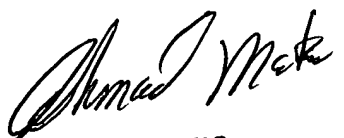platform and related communication method using the platform. Staples et al (US

5,889,845) teach a system and method for providing a remote user with a virtual

presence to an office.

13.    Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Thjuan P Knowlin whose telephone number is (703)

308-1727.  The examiner can normally be reached on Mon-Fri  8:00-4:30pm.

14.    If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ahmad Matar can be reached on (703)305-4731.  The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

15.    Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system.  Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Thjuan P. Knowlin
July 16, 2004

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